IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.725 OF 2006
IN
WRIT PETITION NO.2369 OF 1993

Ramesh Maganlal Haria ...Petitioner

Versus

The Bombay Housing and Area Development Board & 3 Ors. ...Respondents.

....

Mr.S.M.Khaire, Advocate for the Petitioner.

Mr.S.M.Dandekar, A.G.P., for Respondent No.1-State.

Ms.T.H.Puranik, Advocate for Respondent No.2-Corporation.

Mr.Kishore Merchant i/b. Kishore Thakordas & Co. for Respondent No.3.

Mr.A.S.Khandeparkar i/b. M/s. B.Amin & Co. Advocate for Respondent No.4.

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CORAM : **DR.S.RADHAKRISHNAN AND SMT.V.K.TAHILRAMANI,JJ.**

DATED : **DECEMBER 15, 2006.**

P.C.:

1. Heard the learned counsel for the petitioner and the respondents. By this Notice of Motion, the petitioner is seeking recall of our order dated 6th November, 2006 whereby the above

Petition was dismissed in default.

2. Perused the affidavit in support of the Motion. For the reasons stated in the affidavit in support of the Motion, sufficient cause is made out. There is no negligence, omission or inaction on the part of the petitioner in prosecuting the above matter. Hence, Notice of Motion is made absolute in terms of prayer clause (a).

3. Place the above Petition on board for final hearing on 22nd January, 2007.

[DR.S.RADHAKRISHNAN,J.]

[SMT.V.K.TAHILRAMANI,J.]